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# Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-07
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AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION NATO

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E O 11652: NA
TAGS: PGOV BQG
SUBJ: NOVSTI COMMENTARY ON QUADRIPARTITE AGREEMENT: APPEL TO ALLIES
TO RESTRAIN FRG IN BERLIN MATTERS

SUMMARY: WEST BERLIN SEW (COMMUNIST) NEWSPAPER DIE
WAHRHEIT SEPTEMBER 5 PRINTED NOVOSTI COMMENTARY ON THE
QUADRIPARTITE AGREEMENT WRITTEN BY GENNADI KIRILOV TO
MARK THE SIXTH ANNIVERSARY OF THE QA'S SIGNING. KIRILOV,
AFTER PREFATORY PRAISE OF QA'S CONTRIBUTION TO DETENTE
AND THE WELFARE OF WEST BERLIN, COMPLAINED THAT
"CERTAIN CIRCLES" IN THE FRG CONTINUE TO STEER
A COURSE TOWARD INTEGRATION OF WEST BERLIN IN THE STATE-
POLITICAL SYSTEM OF THE FRG. HE APPEALED TO ALLIES TO
THWART FRG VIOLATION OF QA AND WARNED OF "THE MOST
UNFAVORABLE CONSEQUENCES" FOR NORMAL QA FUNCTIONING
IF THEY DID NOT. END SUMMARY.

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1. KIRILOV REJECTED THESIS THAT QA CAN BE INTERPRETED
IN DIFFERENT WAYS AS "AN EXCUSE AND A CAMOUFLAGE" WHOSE
GOAL IT IS TO HIDE THE UNWILLINGNESS OF THE FRG TO RESPECT
THE CLEAR RESTRICTIONS IN THE QA, ESPECIALLY THE "KEY
PROVISION" THAT WEST BERLIN IS NOT AN INTEGRAL
CONSTITUENT PART OF THE FRG AND IS NOT TO BE GOVERNED BY
IT. HAD THE FRG STRICTLY OBSERVED THIS "KEY PROVISION",

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KIRILOV CONTENDED, THE QUESTION OF THE REALIZATION OF ANY INDIVIDUAL PROVISIONS OF THE QA SIMPLY WOULD NOT HAVE ARISEN, FOR THE SOVIET UNION AND GDR HAVE NEVER RAISED OBJECTIONS TO THE DEVELOPMENT OF FRG-WEST BERLIN TIES (VERBINDUNGEN) OR AGAINST THE REPRESENTATION OF WEST BERLIN INTERESTS BY THE FRG IN FOREIGN AFFAIRS IF THE PRACTICE DOES NOT CONTRADICT THE "KEY PROVISION."

2. THE FRG, IN KIRILOV'S VIEW, RATHER THAN OBSERVE THE QA'S "KEY PROVISION," PREFERS TO BE LED BY THE JULY 31, 1973 FEDERAL CONSTITUTIONAL COURT DECISION PRESCRIBING THAT FRG STATE ORGANS TREAT BERLIN AS A LAND OF THE FRG, RECONFIRMED BY STATE SECRETARY BAUM'S RECENT STATEMENT ON SAME TOPIC. KIRILOV OMITTED MENTION OF BAUM'S (AND THE COURT'S) REFERENCE TO ALLIED RESERVATIONS IN HANDLING BERLIN AS A LAND OF THE FRG.

3. KIRILOV DECLARED THAT THREE WESTERN ALLIES MUST NOT ONLY SHOWCONCERN OVER CONTINQIOUS VIOLATIONS OF THE QA BY THE FRG, BUT ALSO TAKE CONCRETE EFFECTIVE STEPS TO THWART THESE VIOLATIONS, SINCE FRG'S ACTIONS DIRECTLY TOUCH UPON THE OBLIGATIONS OF THE WESTERN ALLIES TOWARD THE SOVIETUNION IN QA FRAMEWORK. DEDUCING REASON FOR ALLIED ATTEMPTS TO "PLAY ROLE OF OUTSIDERS" AND SOMETIMES "COVER" FRG VIOLATIONS, KIRILOV CONCLUDED THAT THE "IMPRESSION SOMETIMES EXISTS" THAT THE ALLIES CONSIDER
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SOLIDARITY WITH THEIR NATO AND EC ALLY AND THE TEMPTATION TO GAMBLE ON DIFFICULTIES BETWEEN THE FRG AND SOVIET UNION ON BERLIN MATTERS MORE SIGNIFICANT FACTORS THAN THEIR LOYALTY TO THE SOVIET UNION IN THE CONTEXT OF THE QA. HE WARNED THAT SUCH A LINE WAS COUNTER TO INTERNATIONAL LAW AND, IF UNALTERED, COULD HAVE THE "MOST UNFAVORABLE CONSEQUENCES" FOR NORMAL FUNCTIONING OF THE QA.

4. COMMENT: TWO POINTS ARE NOTABLE: KIRILOV'S ELEVATION OF THE "NOT A CONSTITUENT PART OF AND NOT TO BE GOVERNED BY THE FRG" PHRASE OF THE QA TO "THE KEY PROVISION" AS WELL AS "A MOST SIGNIFICANT ELEMENT" OF EUROPEAN REALITY AND CONCURRENT DENIGRATION OF THE QA'S "INDIVIDUAL PROVISIONS", AGAIN UNDERSCORE SOVIET REFUSAL TO ACCEPT THE BALANCE SO CAREFULLY NEGOTIATED IN THE QA BETWEEN "TIES" AND BERLIN'S UNRULED STATUS; AND THE APPEAL TO THE ALLIES TO KEEP THE FRG IN LINE, THE MOST DIRECT SUCH APPEAL WE HAVE SEEN RECENTLY.GEORGE



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# Message Attributes

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